

I have no doubt that what drew me to politics were the esteem I had always felt for public service and the commitment of our religious values to justice, human and civil rights, peace, and the importance of helping all people be able to realize their full potential. And, of course, the essential task for our nation to be engaged in the world as a force for good.

As a Jewish congressman, I have been mindful that even in America, there have only been 157 Jews who have ever served in the House of Representatives; that I was the first Jew ever to have been elected from Southern California and the first in California in forty years when I was elected in 1974. Today, we have 24 Jewish Members, many from districts with very few Jewish constituents and seven from Southern California.

I have been proud to have played a role as a Congressman in many of the events that impacted the Jewish people in the last thirty years. My wife, Janet and I were in Egypt and Israel when, after meeting with both President Sadat and Prime Minister Begin, Sadat came to Jerusalem. We sat in amazement as we heard his speech in the Knesset. We fought for the freedom of Soviet Jews, visited refuseniks, pressured Soviet leaders, and saw the doors open to allow them to leave. Janet was one of the most instrumental players in the efforts to help Syrian Jews leave. We were in Israel as the airlift of Ethiopians arrived in Israel. I was able to attend the White House ceremonies for the Camp David Accords between Israel and Egypt, the signings of the ill-fated Oslo agreement

between Arafat and Rabin; the dinner in honor of diplomatic relations between Israel and Jordan again with Prime Minister Rabin and King Hussein. Last August, we were in Israel as they undertook the difficult disengagement of Israel from the Gaza.

In fact, almost a year ago, my nine year old granddaughter Noa wrote me a Father's Day note: Dear Grandpa, Happy Father's day. You are a wonderful Grandpa and a wonderful Congressman. You show the whole world that you love Israel so much and are trying to help and that really means a lot to us and also to Israel. We the Jewish people of Israel love you so much and hope you live to 120.

While I have always had a strong Jewish identity, only as an adult, have I explored more deeply the Jewish religion. Since we have free will, we also

have responsibility for our choices and actions. The Jewish way is to have us elevate ourselves and refine our character through the observance of mitzvot. Judaism is much more about acting and doing the right thing, rather than believing the right things. Ethics is at Judaism's core. God's primary concern is not that we mindlessly follow ritual, but act decently. Ritual is to help us do that.

Actions and how we live our lives and treat others is at the heart of the matter. To aid us along these lines, we have specific obligations. Tzedaka, which means righteousness, not charity, helps bring justice to others and sanctity to ourselves. The discipline of Kashrut raises the most mundane of routine acts into a religious reminder that we are distinctive and the mere physical satisfaction of our appetite can

be a spiritual act. Shabbat gives sanctity to time to refresh our body and our soul. It has great meaning for me primarily to remind me, no matter how important I may or am supposed to be, the world can get along without me quite well for one day. It puts a lot of things into perspective.

Jewish observance is a check on our arrogance, self-importance, rationalizations to do what we want. We are required to fulfill the ethical commands and to choose to overcome our natural inclinations that are not worthy.

I have looked at the issue of governmental power in a similar way. Our U.S. Constitution tries to put in place a mechanism for checks and balances because our founders did not trust the concentration of power and the arrogance and corruption that can come

with it. By the way, Jewish sources resist an absolute power structure. Rabbi Joseph Soloveitchik referred to a well known axiom that power tends to corrupt the one who wields it. The noblest, best intentioned ruler is affected by the glory, tribute, and power of his office. This may cause him to step over the boundary of legitimate authority. The human ego is likely to be distorted and intoxicated by a status which has no external limits.

That well known axiom Power tends to corrupt, and absolute power corrupts absolutely is from Lord Acton, a brilliant historian and admirer of our democracy's system of checks and balances. He was also a Catholic and nearly excommunicated from the Church because he dissented from believing in the Infallibility of the Pope. For the last six years, we've essentially

had one-party rule in Washington. And for the last decade, the Republican congressional leadership has governed with the idea that the most important job for them was to keep the Republicans together instead of trying to seek bipartisanship.

Next week, the Republicans will put forth a bill in the House for lobbying reform, in response to the convictions of Duke Cunningham, indictments and convictions of a number of staff people around Tom Delay, who also has been indicted as well. He and others may face additional prosecutions revolving around the criminal behavior of super lobbyist Jack Abramoff.

The problem runs far deeper than can be cured by a superficial lobbying reform bill. This is not simply a problem of a rogue lobbyist or a pack of them. Nor is it a matter of a handful of

disconnected, corrupt lawmakers. The problem starts not with lobbyists, but with Congress itself. Over the last ten years, and especially the last five, the Republican leadership has ignored the precedents, rules and norms which have guided Congress in a way that has marked a dramatic break from custom.

Rules for consideration of legislation on the House floor have denied any Member from offering amendments, stifling dissent and legitimate debate. Omnibus bills have been brought to the floor without notice, or even giving us a chance to read the legislation. Conference committees exclude minority members and cut deals in private, sometimes even putting in provisions that had not been in either the House or Senate bills.

The Republican leadership does not choose to rely on committees with

expertise, as they have made committees irrelevant by sending them a bill, giving them a time to vote it out, sometimes even without a hearing, and then they have rewritten the bill before it goes to the House floor. Any compromises are only what is necessary to get all Republicans on board, which usually means moving to the Right, even if the policy does not make sense.

In the Congress, we have a number of examples of this arrogant abuse. Look at the Medicare prescription drug bill. Negotiations were behind closed doors, Democrats excluded. Key estimates about the bill's costs were withheld by a government official who was told he would be fired if he disclosed the information. Two key negotiators ended up working for the drug companies after the bill

passed. And when the bill was short of votes on the House floor, the fifteen minute roll call was extended to three hours. A Republican Member was offered a bribe to vote for it. Now, seniors are trying to make sense of the law and how it affects them, while the drug and insurance companies are coming out the big winners, as the legislation is projected to cost billions more than originally thought.

Something has gone wrong, very wrong. If you can play fast and loose with the rules of the game in lawmaking, it becomes easier to do the same thing in other areas as well, including relations with lobbyists, acceptance of favors, the misuse of government resources and governmental powers. They seem to share the attitude that because they are in charge, no one can hold them

accountable.

This sense that no one will hold them accountable has created a culture of corruption., Duke Cunningham accepted over \$2 million in bribes. Super lobbyist Jack Abramoff is heading to jail, having stolen millions from Indian tribes and weaving a web that is remarkable in both its depth and breadth. And one of his closest friends, Tom Delay, was until just recently the most powerful Republican in the House, just announced his resignation at the same time three of his former staffers have faced criminal charges.

What about our checks and balances? What about self restraint and ethical guidelines? It is as if recklessness is invited because some leaders do not think they will be held accountable.

As far as oversight and investigations

are concerned to keep the Executive Branch honest, the Congressional Republican leadership has refused to carry out their Constitutionally mandated job as the leaders of an independent branch of government. While they used every opportunity for oversight to embarrass President Clinton, by, for example holding a week of hearings on whether the Clinton administration misused their Christmas card list for political purposes, the Republicans refuse to hold hearings or conduct investigations on such issues as whether the Bush Administration manipulated the intelligence to lead us into war, or on the issue of the treatments of prisoners at Abu Graib, Guantanamo or other prisons; or on how and why the White House leaked Valerie Plame's identity as a CIA agent when her husband, Joe Wilson, spoke out about false intelligence; or on the

waste of billions of taxpayer money by over-paying Halliburton or other private contractors in Iraq and in reconstructing New Orleans and Mississippi.

Oversight is important, and if done right it can find the truth and bring real change.

At the same time the Congress is refusing to do oversight, the Bush administration has acted even before September 11, 2001, with greater secrecy than any other in history, exceeding even Richard Nixon's.

Last year, Congressional Quarterly, the non-partisan magazine reported that:

“Administration secrecy has become the rule rather than the exception, a phenomenon that lawmakers, journalist, public interest groups and even ordinary Americans say has interfered with their ability to participate in

government and to hold it accountable for its actions.

CQ went on to note that some of the documents the Administration has withheld seem to have little to do with the war on terrorism and a lot to do with keeping embarrassing information from the public.

Not only are more documents designated as classified, some have been assigned a made up designation such as “Secret but not classified” or for “official use only” in order to keep them from being disclosed. In 2004 alone an estimated 15 million documents were classified. Over the past few years documents that had already been released have been pulled back off the shelf and reclassified as secret.

No doubt some things must be kept secret. Our national security demands

some information must be kept secret for the good of all. But, what we have here is an obsession for secrecy, without clear standards for what should or should not be made available to the Congress, the press and the American people.

Think about the secrets that we at least now know were being kept secret wiretapping of Americans; a network of foreign prisons; information about the detainees at Guantanamo Bay and Abu Ghraib..the 9/11 documents that proved that the White House had been warned about the use of hijacked airplanes as weapons and the real science behind global warming. What are the standards? Are they being applied consistently? How can democracy function if our government is not transparent, and our leaders act as if they do not have to be held

accountable?

Arrogance, secrecy and lack of accountability are a terrible combination.

Next month, two former AIPAC officials Steven Rosen and Keith Weissman will face trial in a prosecution under an obscure 1917 Espionage Act that makes it illegal for people, who are not authorized, to receive classified information. They are not being charged with spying. This will be the first time in U.S. history that American citizens “outside government employees or contactors who have been charged with receiving and disseminating state secrets in conversations.

We don't know all the facts that will come out at the trial, but it appears that the two lobbyists are being singled out for something that is routinely done by

hundreds of foreign policy advocates, members of think tanks and journalists hundreds of times every day.

What we know of the facts are that a Pentagon official, Lawrence Franklin, told the two about information he described as classified pertaining to Iran and efforts by Iran to kill Israelis who were in the Kurdish part of Iraq. They in turn passed on the information to their colleagues at AIPAC, Israeli officials and a reporter from the Washington Post. In short, they did what reporters do all the time. Even Congressmen and their staffs have been known to receive information from whistle blowers from time to time.

This case and some of the assertions by the prosecutor are sending a chill not just through AIPAC and the Jewish community, but to academics, lawyers and journalists among others who seek

and garner foreign policy information from the government.

The Washington Post editorialized last Thursday that this is a dangerous prosecution which would radically diminish the openness of the U.S. government while criminalizing huge swaths of academic debate and journalism. They also pointed out that the government has tried to seize control of the papers of the late columnist Jack Anderson to review them and to take back any that are classified on the claim that no private person may possess classified documents that were presumably illegally provided to them.

This trial is coming at the same time that a furor has been ignited by an article by two American academics who argue that pro-Israel interest groups, such as the Israel lobby, have undercut US interests and hurt us in the Middle

East. They have rehashed centuries old conspiracy theories about Jewish cabals and dual loyalties.

Whether the Bush Administration had in mind this vulnerability felt by American Jews in pressing their case is not known. Why were AIPAC employees singled out? AIPAC was not charged with any wrongdoing, but it has felt the sensitivity of the charge of dual loyalties to the point that at last year's conference, the group broke with tradition and did not sing the Israeli national anthem.

What we do know is that the Bush Administration actions fit with their determination to stop leaks of classified information. They want to put the fear in the press not to report on facts that may get them in trouble.

But compare this prosecution with what

we've learned just in this past month about the White House's own actions in releasing classified information. Selective parts of the National Intelligence Estimate of Iraq were given exclusively or leaked to Judith Miller from the NY Times by Scooter Libby, Vice President Cheney's former Chief of Staff, he claims at the instructions of the Vice President and the President in order to back up the Administration's argument for going to war in Iraq. They did not follow normal procedures in declassifying it; they did not even tell anyone else in government that they did it. Many weeks later, the NIE was declassified for everyone else.

The Administration made up its own rules again in the Valerie Plame case, when it decided to reveal her status as a covert CIA agent in order to discredit her husband, Joe Wilson, who had

criticized the assertion the Iraq had tried to get uranium from Niger. Bob Woodward was given access to classified documents and notes taken from fifty National security Council meetings.

It was OK for the Administration to leak when it benefited them. This is not just self serving, there is an absolute corruption of the classification process. According to the respected National Journal, that contrary to what the White House said over and over publicly in 2004, the President had received an explicit one-page summary in October 2002 that cast doubt on the allegation that Iraq was procuring high-strength aluminum tubes to build nuclear weapons. Condoleezza Rice said at the time "If there were any doubts about whether the underlying intelligence to that NIE, these doubts

were not communicated to the President, to the vice president or me.” The White House communication director Dan Bartlett argued that the President was unaware of the information and that he did “not read the footnotes in a 90-page document.” He went on to say that “the President of the United States is not a fact checker.”

What we now know thanks to the National Journal is that this information from Rice and Bartlett and others was not only false, but that the one page summary was kept secret without any substantive justification. While the rest of the NIE was declassified in 2004, that part was kept secret until after the President’s reelection.

Obsessive secrecy, unaccountability, intolerance of dissent, arbitrary prosecutions and elevating politics over life and death policy has no place in our

democracy.

I'm sure that some in the audience feel my remarks today have been partisan and inappropriate. I do not intend to be partisan. But I do believe that the leadership of our government in both Congress and the Executive Branch has turned away from core values we have as Americans and as Jews. I make these comments in the great tradition of our people that we should be willing to speak truth to the powerful.